

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RONNIE CHEROKEE BROWN,

Plaintiff,

v.

A. REILLY, et al.,

Defendants.

No. 2:20-cv-1709 WBS AC P

ORDER

This case is currently set for a trial readiness conference on January 22, 2024, at 1:30 p.m. ECF No. 151. The conference was originally scheduled to take place before the assigned district judge but has since been referred to the undersigned. ECF No. 154. In light of the recent representation that the California Department of Corrections and Rehabilitation (CDCR) may be unable to transport plaintiff to appear at the trial readiness conference because of his current placement in a mental health crisis bed (ECF No. 153), the trial readiness conference will be vacated and defendants will be required to update the court regarding plaintiff's status.¹ In the event plaintiff's condition has stabilized sufficiently to appear before the court, the trial readiness conference will be re-set before the undersigned and will be conducted via Zoom. Since the

¹ The declaration provided by defendants indicates that plaintiff's condition should be evaluated approximately ten days after his transfer to a mental health crisis bed, which occurred on January 7, 2024. ECF No. 153.

1 parties will not be appearing at the conference in person, a deadline for exchanging trial exhibits
2 will be set once the conference has been rescheduled. Trial remains scheduled to begin on
3 February 13, 2024, pending the update on plaintiff's mental health status and ability to be
4 transported.

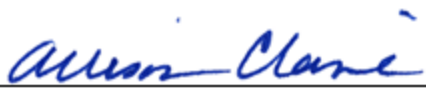
5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The January 22, 2024 trial readiness conference and the writ of habeas corpus ad
7 testificandum commanding plaintiff's appearance (ECF No. 146) are VACATED.

8 2. Within ten days of the filing of this order, defendants shall update the court regarding
9 plaintiff's status and the ability of the CDCR to make plaintiff available for a trial readiness
10 conference conducted by Zoom and to transport plaintiff to court for trial on February 13, 2024.
11 If plaintiff's condition is such that the CDCR believes plaintiff cannot be made available via
12 Zoom for the trial readiness conference or be transported for trial on February 13, 2024, counsel
13 shall file additional information regarding plaintiff's specific condition under seal so that the
14 court may determine appropriate next steps.

15 3. The Clerk of the Court is directed to serve a copy of this order on the Warden of Kern
16 Valley State Prison, P.O. Box 3130, Delano, California 93216 and on the Out-To-Court Desk,
17 California State Prison-Sacramento.

18 DATED: January 16, 2024

19 
20 ALLISON CLAIRE
21 UNITED STATES MAGISTRATE JUDGE
22
23
24
25
26
27
28